

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

GREGORY T. BROWN, Jr.,

Plaintiff,

v.

COMMONWEALTH OF MASSACHUSETTS,  
FRANK G. COUSINS, Jr., MICHAEL MARKS,  
FRANK L. WATERMAN, KEVIN G. CLARK,  
JORDAN CORREIA, and NATHANEL KARGBO,

Defendants.

CIVIL ACTION  
NO. 11-11019-JGD

**PLAINTIFF'S TRIAL BRIEF**

**I. MOTIONS IN LIMINE**

None anticipated.

**II. STATEMENT OF CLAIMS AND DEFENSES TO BE READ TO BE JURY**

This is action brought by Plaintiff Gregory T. Brown, Jr., a former inmate at the Essex County Correctional Facility in Middleton, Massachusetts. Brown claims that Correctional Officers Frank L. Waterman, Kevin G. Clark, and Jordan Correia disregarded a serious risk to his physical safety by placing him a cell with a violent inmate named Nathaniel Kargbo. Kargbo severely beat Brown in the cell they shared on March 24, 2010, causing broken bones in his face which required reconstructive surgery. The Defendants deny all claims and state that that Brown never told the correctional officers he felt threatened by Kargbo or wanted to be moved from his cell.

**III. JURY INSTRUCTIONS**

Plaintiff will file proposed jury instructions separately.

**IV. SPECIAL VERDICT FORM**

Plaintiff will file a special verdict form separately.

Respectfully Submitted,

Dated: July 16, 2013

/s/ John R. Bitá  
Ilyas J. Rona (BBO #642964)  
John R. Bitá III (BBO #667886)  
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*Attorney for Plaintiff Gregory T. Brown, Jr.*

**CERTIFICATE OF SERVICE**

I, John R. Bitá, hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the NEF (NEF) and paper copies will be sent to those indicated as non-registered participants on July 16, 2013.

Dated: July 16, 2013

/s/ John R. Bitá  
John R. Bitá